

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

09-41624

In re: **Lance Thomas Libatique
Roditha Aguirre Libatique**

Case No.

CHAPTER 13 PLAN

Debtor(s).

- The future earnings of the debtor(s) are submitted to the supervision and control of the trustee, and the debtor(s) will pay to the Trustee the sum of \$ **762.87** each month for **60** months.
Debtor(s) elect a voluntary wage order. _____.
- From the payments received, the Trustee will make disbursements in accordance with the Distribution Guidelines as follows:
 - On allowed claims for expenses of administration required by 11 USC §507.
 - On allowed secured claims, which shall be treated and valued as follows:

			Value of	Claim	Pre-confirmation	Post	Estimated	Interest Rate
§506	Non §506	Name	Collateral	Amount	Adequate	confirmation	Mortgage	(If Specified)
					Protection	Payments	Arrears	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	EMC Mortgage	464,500.00		0.00	512.40	20,496.00	0.00
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fast Cash Inc / Loan	8,850.00		10.00	134.07		10.00
		Mart						

With respect to secured claims per §506, valuation stated shall bind unless a timely objection to confirmation is filed. With respect to non §506 secured claims as referenced in §1325, the claim, to the extent allowed, shall control. If an interest rate is not specified, 5/6% per month (10% per annum) will be paid. A secured creditor shall retain its lien until the earlier of the payment of the underlying debt determined under non-bankruptcy law or discharge under section §1328.

- On allowed priority unsecured claims in the order prescribed by 11 USC § 507. Priority claims shall be paid in full except to the extent allowed otherwise under 11 U.S.C. § 1322(a)(4).
 - On allowed general unsecured claims the debtor(s) estimate(s) the general unsecured claims will be paid **Pro Tanto** %.
- The following executory contracts are rejected. The debtor(s) waive the protections of the automatic stay provided in 11 U.S.C. § 362 to enable the affected creditor to obtain possession and dispose of its collateral without further order of the court. Any allowed unsecured claim for damages resulting from rejection will be paid under paragraph 2(d).
-NONE-
 - The debtor(s) will pay directly the following fully secured creditors and lessors:

Name	Monthly Payment
EMC Mortgage	2,185.83
 - The date this case was confirmed will be the effective date of the plan.
 - The debtor(s) elect to have property of the estate revert in the debtor(s) upon plan confirmation. Once the property reverts, the debtor(s) may sell or refinance real or personal property without further order of the court, upon approval of the Chapter 13 Trustee.
 - The debtor(s) further propose pursuant to 11 USC § 1322(b):
Special Intentions:
EMC Mortgage: Debtor(s) intend to avoid lien under 522(f)(1) or 522(f)(2).
CitiFinancial: Debtor will pay claim in full with 0% interest - co-debtor is liable on claim.
Sallie Mae - Debtors will pay make payments on student loan debts outside of plan.

Dated: **March 3, 2009**

/s/ Lance Thomas Libatique
(Debtor)

/s/ Roditha Aguirre Libatique
(Debtor)

I/We **Evan Livingstone** am/are legal counsel for the above named debtors(s) and hereby certify that the foregoing Chapter 13 Plan is a verbatim replica of this N.D. Cal., Oakland Division Model Chapter 13 Plan (October 2005), promulgated pursuant to B.L.R. 1007-1.

/s/ Evan Livingstone

Attorney for Debtor(s)

CERTIFICATE OF NOTICE

District/off: 0971-4
Case: 09-41624

User: plenhart
Form ID: pdfpln

Page 1 of 1
Total Served: 29

Date Rcvd: Mar 09, 2009

The following entities were served by first class mail on Mar 11, 2009.

db/jdb +Lance Thomas Libatique, Roditha Aguirre Libatique, 37050 Reynolds Common,
Fremont, CA 94536-1955
smg CA Employment Development Dept., Bankruptcy Group MIC 92E, P.O. Box 826880,
Sacramento, CA 94280-0001
smg CA Franchise Tax Board, Special Procedures Bankruptcy Unit, P.O. Box 2952,
Sacramento, CA 95812-2952
smg +Labor Commissioner, 1515 Clay St., Room 801, Oakland, CA 94612-1463
smg +State Board of Equalization, Collection Dept., P.O. Box 942879, Sacramento, CA 94279-0001
9795250 +Accounts Receivable Management, PO BOX 129, Thorofare, NJ 08086-0129
9795252 Aegis Receivables Management Inc., PO Box 3458, San Rafael, CA 94912-3458
9795253 +Bill Me Later, PO BOX 105658, Atlanta, GA 30348-5658
9795254 +Cap One, Pob 30281, Salt Lake City, UT 84130-0281
9795257 Chase, PO Box 15548, Wilmington, DE 19886-5548
9795255 Chase, Bank One Card Serv, Westerville, OH 43081
9795256 Chase, PO Box 94014, Palatine, IL 60094-4014
9795259 +CitiFinancial, PO Box 499, Hanover, MD 21076-0499
9795258 Citicorp Credit Services, PO Box 39308, Solon, OH 44139-0308
9795260 +Creditonebnk, PO Box 98872, Las Vegas, NV 89193-8872
9795261 +EMC Mortgage, PO Box 141358, Irving, TX 75014-1358
9795262 +Encore Receivable Management, 400 N Rodgers Rd, PO BOX 3330, Olathe, KS 66063-3330
9795263 +Fast Cash Inc / Loan Mart, 15821 Ventura Blvd., Suite 185, Encino, CA 91436-4799
9795264 +First Premier, 3820 N Louise Ave, Sioux Falls, SD 57107-0145
9795265 First Premier Bank, PO Box 5147, Sioux Falls, SD 57117-5147
9795267 +Hsbc Bank, Po Box 5253, Carol Stream, IL 60197-5253
9795268 Irene Dumlao, 1164 Badger Way, Tracy, CA 95304
9795269 +Kelly William Libatique, 482 Kim Street, Bay Point, CA 94565-1585
9795270 +Northland Group Inc, PO BOX 390846, Minneapolis, MN 55439-0846
9795271 +Sallie Mae, Po Box 9500, Wilkes Barre, PA 18773-9500
9795272 +Target N.B., Po Box 673, Minneapolis, MN 55440-0673
9795273 +Thd/Cbsd, Po Box 6497, Sioux Falls, SD 57117-6497
9795274 +United Recovery Systems, PO BOX 722929, Houston, TX 77272-2929

The following entities were served by electronic transmission on Mar 10, 2009.

9795266 +E-mail/PDF: gecsedirecoverycorp.com Mar 10 2009 06:50:56 Gemb/Mervyn, Po Box 981400,
El Paso, TX 79998-1400

TOTAL: 1

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

9795251* +Accounts Receivable Management Inc, PO BOX 129, Thorofare, NJ 08086-0129

TOTALS: 0, * 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 11, 2009

Signature:

